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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEB 7 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

Review of the Commission's Regulations)
Governing Attribution of Broadcast)
and Cable/MDS Interests)

MM Docket No. 94-150

Review of the Commission's Regulations)
and Policies Affecting Investment in)
the Broadcast Industry)

MM Docket No. 92-51

Reexamination of the Commission's)
Cross-Interest Policy)

MM Docket No. 87-154

TO: The Commission

COMMENTS OF PRESS BROADCASTING COMPANY, INC.

1. Press Broadcasting Company, Inc. ("Press") hereby submits its Comments in response to the Further Notice of Proposed Rulemaking, FCC 96-436, released November 7, 1996. Press is the licensee of a television and several radio stations located in Florida and New Jersey.

2. Press is not concerned so much with the particular details of any new mechanism for calculating attribution as it is concerned with the purpose underlying any such mechanism. Press believes that the vitality of this Nation's broadcast communications system -- and, indeed, this Nation's basic democratic governmental system -- depends on the preservation of diverse and competing sources of information and ideas. From diversity flow innovation and progress, competition and controversy which in turn lead to informed discussion, consensus and productivity. In Press's view, it is of the utmost

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importance that the historical diversity of media voices which this country has enjoyed be maintained to the extent possible. ^{1/}

3. Press recognizes that, at least to some degree, Congress has relaxed ownership limits on broadcast licensees, thus reducing the absolute number of different broadcast owners and, to the same extent, the absolute number of different broadcast voices available to the public. While the specific relaxed limits permitted by Congress are subject to certain weaknesses in Press's view, to the extent that those matters are statutorily mandated, they are generally beyond the Commission's authority to change (even though the Commission may be able to adjust certain of its own policies in ways which may alter the ultimate effect of the Congressional changes).

4. What are clearly not beyond the Commission's authority, however, are the Commission's own rules and policies at issue in the instant proceeding. Press urges that, in approaching those rules and policies (both in this proceeding and in any others which touch on the same considerations), the Commission exercise extreme caution to assure the preservation of maximum

^{1/} Indeed, the question of the ownership limits on broadcast licenses is of such great importance that Press submits that the Commission may wish to urge, if not direct, all broadcast licensees to announce the pendency of this (and related) proceedings over their airwaves, in order to promote public participation in the rule making process. While the Commission's own public notices may attract the attention of affected industries, broadcasts concerning these proceedings will be far more effective in terms of bringing these matters to the attention of the public.

diversification of broadcast media ownership and control. Such caution is particularly important in view of the Congressional relaxation of ownership limitations. That relaxation has already had an overwhelming effect on the broadcast industry, leading to unprecedented (but not necessarily unforeseen) consolidation of ownership nationwide. While some such consolidation may prove salutary (and Press hastens to note that Press does not wholeheartedly support the rampant consolidation which has occurred), Press believes that further consolidation should not be encouraged at this time through any modification of the attribution rules.

5. Consolidation of ownership, by definition, reduces the diversity of competing broadcast voices. The degree of consolidation experienced on a national level in just the first year following enactment of the Telecommunications Act of 1996 has been staggering. It is impossible to determine, at this early date, the ultimate effects of the incredible consolidation which has already occurred, much less the effects of further consolidation presently in the works. But it is safe to assume that the relationship between the broadcast industry and the public is in the process of a metamorphosis the precise results of which cannot now be predicted.

6. Because of that uncertainty, and because of the overriding importance of maintaining diverse sources of information for the public, Press believes that the Commission should (except in certain very limited contexts relating to,

e.g., the creation of duopoly situations pursuant to well-defined criteria) resist any effort to further relax ownership limitations through relaxation of the attribution rules. It is important that the formal national ownership limits imposed by Congress be given an opportunity to find their level, and then that the acceptability, the workability, of that level be tested by experience. Congress has unleashed powerful forces, forces which have the capability of effecting massive change on the manner in which the broadcast media relate to the public and vice versa. Press believes that those forces should be allowed to operate on their own for a reasonable time before any further administrative actions are taken which might in turn compound or exacerbate the changes in progress.

7. Accordingly, Press urges that any changes in the attribution rules be designed to tighten, rather than loosen, restrictions on ownership, at least while the initial effects of the Congressionally-mandated changes in ownership limits are still being experienced.

Respectfully submitted,


/s/ Harry S. Cole
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